

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:11-cv-01420 MRH
)	
MEREDITH PARENTE,)	
)	
Defendant.)	
_____)	

**PLAINTIFF'S REQUEST FOR INDIVIDUAL VOIR DIRE AND PROPOSED
SUPPLEMENTAL VOIR DIRE**

Plaintiff, United States of America, by and through the undersigned attorneys, hereby respectfully moves this Court to conduct individual voir dire of potential jurors in the above-captioned matter, and submits the following Proposed Supplemental Voir Dire.

This case involves the politically and morally charged issue of reproductive health care services, and jurors may be reluctant to discuss their views on this point or even to respond affirmatively to appropriate questions in the presence of the entire venire. Indeed, the more extreme or strongly held a juror's view, the greater the likely reluctance to acknowledge that view openly. Thus, information that can be expected to affect a juror's ability to judge the case fairly and impartially is less likely to be revealed during a conventional voir dire. Conducting an individual voir dire of each juror as to his or her views on matters that may affect impartiality would alleviate these concerns. Accordingly, the government proposes that each juror be questioned individually in chambers. This process would take only as long as would be necessary to achieve a strikable panel.

Therefore, the United States requests that this Court conduct individual oral voir dire of each potential juror in this matter, and submits the following proposed supplemental voir dire questions:

PLAINTIFF'S PROPOSED VOIR DIRE NO. 1

Have you ever been involved, or do you expect to become involved, in any legal action or dispute with the United States, or with any agency, officer or employee of the United States, or have you ever had any financial interest in such a dispute?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 2

Have you ever had any disagreement or dispute with the Department of Justice or any other department or arm of the U.S. Government?

If so, do you believe you were dealt with unfairly? If so, please describe.

If yes, do you think, despite such disagreement or dispute, you could reach an impartial decision regarding a matter involving the federal government?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 3

Would you tend not to believe the testimony of an employee of the federal government or federal agency merely because he or she is an employee for the federal government and for no other reason?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 4

Do you have any impression, opinion, or belief concerning the defendant, or law enforcement, or any other matter, that would lead you to be prejudiced in favor of or against the defendant?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 5

Do you have a hearing problem or any other physical problem that might interfere with your ability to hear the testimony of the witnesses in this case?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 6

Is there any reason why you could not render an impartial decision in this case or why you do not want to sit as a juror in this case?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 7

Are you, or do you have any close relatives or friends who are, judges, law clerks, court attendants, court clerks, other types of court personnel, or have you had any experience with judges, lawyers, or the courts that would affect your ability to be an impartial juror?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 8

Do you have any military experience?

If so, please describe, including branch, rank, primary duties, and dates.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 9

Have you ever been a witness in any investigation or legal proceeding before?

If so, please describe, including the court, the nature of the case, and the verdict.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 10

Have you ever served on a jury? If so, please state the approximate date, the court, the general nature of the case (including whether it was civil or criminal), and whether a verdict was reached.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 11

Are you a member of any organizations (religious, academic, social, fraternal, service, professional, business, sporting, recreational, political, or union)?

If so, please identify any offices you have held.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 12

What television programs do you watch most regularly?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 13

What magazines, newspapers, or periodicals do you read most regularly?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 14

What websites do you visit most regularly?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 15

What books, if any, have you read during the past year?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 16

Do you hold any religious or other beliefs that would inhibit your ability or make it difficult for you to sit in judgment or to render a verdict?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 17

Have you read or heard anything about this case in the media? If yes, what do you know about it? Have you talked to anyone about it? Can you put aside what you heard and judge the case on the evidence and testimony that you hear in court?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 18

Do you know any of the defendant's close friends or relatives?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 19

Are you familiar with Planned Parenthood of Western Pennsylvania? If yes, what is your impression of the organization?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 20

Are you familiar with Planned Parenthood of Western Pennsylvania? If yes, what is your impression of the organization?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 21

Abortion is a controversial issue on which many people have strong feelings. However, there will not be any evidence presented during the trial regarding the practice of abortion. Your

personal, political, moral, or religious opinions or beliefs regarding the issue of abortion will not be the subject of any issue which the jury must decide. Nonetheless, feelings surrounding the issue can be so strong that some people might be unable to impartially listen to the evidence and deliberate based solely on the facts and law presented at trial. Do you have any personal, political, moral or religious opinions or beliefs regarding the issue of abortion? If yes, do you think that you might decide this case based upon any personal feelings you might have on the issue of abortion rather than the facts and law presented at trial of this matter?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 22

The defendant is charged in this case with a violation of the Freedom of Access to Clinic Entrances Act. Your duty as jurors in this case is to decide whether the defendant violated the law. Do you understand that you will not be asked to pass judgment on abortion? Do you feel that you cannot decide this case without considering your feelings on abortion? Do you understand that your verdict will not be on the issue of abortion but only whether the defendant violated the law?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 23

Is there anything about your experiences or the experiences of your friends or family that would cause you to feel discomfort in listening to the facts presented in this case?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 24

Do you belong to any group or organization which has taken a position on any aspect of the issue of abortion? If yes, would your membership in such an organization pose difficulties for you in deciding this case based on the facts and law presented during the trial?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 25

Have you made any contributions to any group or organization which has taken a position on any aspect of the issue of abortion? If so, would your contribution to such an organization pose difficulties for you in deciding this case based on the facts and law presented during the trial?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 26

Have you, your family members or close friends ever participated in any protest, march, or rally regarding abortion on either side of the issue? Is there anything about that participation that would pose difficulties for you in deciding this case based on the facts and law presented during the trial? If so, please explain.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 27

Have you ever observed any abortion protests, marches, or rallies on either side of the issue? Is there anything about that observation that would pose difficulties for you in deciding this case based on the facts and law presented during the trial? If so, please explain.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 28

Have you ever picketed, leafleted, or protested with respect to an issue in which you believed strongly?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 29

Were you ever arrested in connection with any protest, march or rally regarding an issue? Is there anything about the arrest that would pose difficulties for you in deciding this case based on the facts and law presented during the trial? If so, please explain.

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 30

If a person has strong feelings that a law is wrong, is it acceptable for them to break that law?

COURT ACTION: _____

PLAINTIFF'S PROPOSED VOIR DIRE NO. 31

Do you know of any reason why you could not fairly and impartially decide in accordance with your oath and based solely on the evidence, whether the government has proved its case by a preponderance of the evidence?

COURT ACTION: _____

Date: 10/16/12

Respectfully submitted,

/s/Aaron S. Fleisher
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CERTIFICATE OF SERVICE

I certify that the foregoing was served through the electronic filing service on October 16, 2012, to the following individuals:

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